REMARKS

1.   Claim 1 stands rejected under 35 USC § 102(b) as being anticipated by U.S.
5   Patent No. 5,799,063 ("Krane"). Applicant respectfully disagrees. Krane describes
a system in which users access audio data embedded in pre-indexed web pages.
A user of the described system locates a desired web page by selecting from a
scrolling menu of selections. Thus, the user is merely presented with a series of
options from which to select. There is no teaching in Krane of "determining if the
10   attribute satisfies an end state, wherein if the end state is not satisfied, performing
steps (a) and (b) with a new particular attribute. If the information provided by the
user does not satisfy an end state, Krane provides no capability of funneling the
user's responses by going on to a new attribute. Krane simply terminates the query.
While it would be impossible for the user to reformulate the query using a new
15   attribute, since Krane teaches only one attribute ("access name", Col. 3, line 49), if
the user were to be able to reformulate the query, the user would quite probably be
no closer to finding their desired item than they were after the first query, because
Krane provides no capability for funneling the user's responses.

20   In stark contrast, the invention elicits information by:

"a.   establishing an attribute value associated with a particular
attribute of a desired item or service; and
b.   determining if the attribute satisfies an end state, wherein if the
25   end state is not satisfied, performing steps (a) and (b) with a new
particular   attribute."

Thus, the invention queries the user, iteratively eliciting more information,
until it can supply a unique item or service having the desired characteristics.
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On page 7, in the Response to Arguments, the Examiner concludes that step
(b) of Claim 1 is met by the user instigating a new query, although he cites
no evidence from the references in support of his conclusion. It is clear from
Figure 34 and from the accompanying description on page 42 and 43 of the
35   PCT application that steps (a) and (b) are performed in the context of single

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query, wherein the user's responses are funneled in order to find the desired item. A new query is not restarted with each new attribute. Furthermore, steps (a) and (b) are executed by the portal software, not by the user.

5   While Applicant believes Claim 1 as filed describes patentable subject matter and that the instant rejection is improper, in the interest of expediting prosecution of the application, Applicant has amended Claim 1 to distinguish it from the cited references more thoroughly. As amended, Claim 1 specifies that steps (a) and (b) are performed for a single query, and that they are

10   performed by the portal software, and not by the user. Accordingly, the rejection of Claim 1 under 35 USC § 102(b) is deemed overcome, rendering Claim 1 and all Claims depending therefrom allowable over the cited references. The amendment to Claim 1 is not to be taken as Applicant's agreement with the Examiner's position, and Applicant expressly reserves

15   the right to pursue patent protection for the subject matter of Claim 1 as filed in a separate application.

       2.   Claim 9 stands rejected under 35 USC § 102(b) as being anticipated by Krane. To distinguish the Claimed Invention from the cited references

20   more thoroughly, Claim 9 has been amended to specify that the user interface:

              (a) establishes an attribute value associated with a particular attribute of a desired item or service; and

              (b) determines if the attribute value identified satisfies an end state,

25   wherein if the end state is not satisfied, performs steps (a) and (b) with a new particular attribute.

       There is no teaching in Krane that the user interface funnels responses by (a) establishing an attribute value associated with a particular attribute of a

30   desired item or service; and (b) determining if the attribute value identified satisfies an end state, wherein if the end state is not satisfied, performs steps (a) and (b) with a new particular attribute. Accordingly, the rejection of Claim 9 under 35 USC § 102(b) and all Claims depending therefrom is deemed to be overcome.

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3. Claim 17 stands rejected under 35 USC § 102(b) as being anticipated by Krane. Applicant respectfully disagrees. As above, the Examiner relies on his own conclusory statement that the user can instigate a new inquiry as teaching determining if the attribute value satisfies an end state, wherein if the end state is not satisfied, performing steps (a) and (b) with a new particular attribute. Claim 17 requires that the portal itself include means for determining if the attribute value satisfies an end state, wherein if the end state is not satisfied, performing steps (a) and (b) with a new particular attribute. The Examiner's statement is thus an admission that Krane's arrangement does not include means for determining if the attribute value satisfies an end state, wherein if the end state is not satisfied, performing steps (a) and (b) with a new particular attribute. Accordingly, the rejection of Claim 17 under 35 USC § 102(b) and all Claims depending therefrom is deemed to be improper.

4. Claim 23 stands rejected under 35 USC § 102(b) as being anticipated by Krane. Claim 23 has been amended in the same fashion as Claim 1. As such, the rejection of Claim 23 and all Claims depending therefrom under 35 USC § 102(b) is deemed to be improper.

5. Claims 5, 6 and 22 stand rejected under 35 USC § 103(a) as being unpatentable over Krane in view of U.S. Patent No. 6,272,455 ("Hoshen"). In view of the above, the rejection under 35 USC § 103(a) is deemed to be moot.

6. Claim 8 stands rejected under 35 USC § 103(a) as being unpatentable over Krane in view of U.S. Patent No. 6,400,806 ("Uppaluru"). In view of the above, the rejection under 35 USC § 103(a) is deemed to be moot.

7. Claim 16 stands rejected under 35 USC § 103(a) as being unpatentable over Krane in view of U.S. Patent No. 6,401,085 ("Gershmann, et al.") In view of the above, the rejection under 35 USC § 103(a) is deemed to be moot.

CONCLUSION

In view of the foregoing, the application is deemed to be in allowable condition.
5   Therefore, the Examiner is earnestly requested to withdraw all rejections, allowing
the application to pass to issue as a United States Patent. Should the Examiner
have any questions regarding the application, he is urged to contact the applicant's
attorney at the telephone number given below.

10

Respectfully submitted,

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AMENDMENTS (MARKED-UP COPY)

5   **In the Claims:**

1.   (Amended) A method of funneling user responses in a voice portal system to determine a desired item or service, the method comprising:

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(a) establishing an attribute value associated with a particular attribute of desired item or service; and

(b) determining if the attribute value satisfies an end state, wherein if the end state is not satisfied, performing steps (a) and (b) by said voice portal with a new

15   attribute;

wherein steps (a) and (b) comprise a single query.

9.   (Amended) A system for funneling voice portal user responses to determine a desired item or service, the system comprising:

20   a user interface; and

a database coupled to the user interface, the user interface coordinating communications with a user, the database storing information regarding attributes, attribute vocabulary sets, and Internet-based information;

whereby the user interface

25   (a) establishes an attribute value associated with a particular attribute of a desired item or service; and

(b) determines if the attribute value identified satisfies an end state, wherein if the end state is not satisfied, performs steps (a) and (b) with a new particular attribute.

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23.   (Amended) A computer program product comprising computer readable program code for identifying user inputs to a voice portal system, the program code in the computer program product comprising:

first computer readable code for performing a step of:

(a) establishing an attribute value associated with a particular attribute of desired item or service; and

second computer readable code for performing a step of:

(b) determining if the attribute value satisfies an end state, wherein if

5   the end state is not satisfied, performing steps (a) and (b) by said voice portal with a new attribute;

wherein steps (a) and (b) comprise a single query [whereby the end state signifies the indentification of a user-desired item or service].

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Substitute for form 1449/PTO	Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)	Application Number	09/531,743
	Filing Date	3/21/2000
	First Named Inventor	Carriere, et al.
	Art Unit	3627
	Examiner Name	McClellan, James
Sheet 1 of 1	Attorney Docket Number	QUAC0006

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.¹	Document Number Number-Kind Code² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
☑	A	US 5,696,962	12/9/1997	Kupiec	
~~☑~~	~~B~~	~~US 5,790,063~~	~~8/25/1998~~	~~Krone~~	
☑	C	US 5,862,325	1/19/1999	Reed, et al.	
☑	D	US 6,026,393	2/15/2000	Gupta	

Duplicate patents (handwritten note)

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.¹	Foreign Patent Document Country Code³ Number⁴ Kind Code⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T⁶
☑	E	WO 99/27742A1	6/3/1999	Kingdon et al.		

Examiner Signature	James J. McClellan	Date Considered	3/17/05